

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE NEW YORK TIMES COMPANY and	:	
CHARLIE SAVAGE,	:	No. 21-cv-08297-LGS
	:	
Plaintiffs,	:	STIPULATION AND
	:	ORDER OF DISMISSAL
v.	:	
UNITED STATES CENTRAL COMMAND,	:	
	:	
Defendant.	:	
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WHEREAS on or about October 7, 2021, Plaintiffs The New York Times Company and Charlie Savage (jointly, “The Times”) filed a complaint in the above-captioned suit pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”), seeking the release of certain records by Defendant United States Central Command (“CENTCOM”), in connection with a FOIA request dated September 8, 2021;

WHEREAS on or about November 10, 2021, CENTCOM answered the Plaintiffs’ complaint;

WHEREAS CENTCOM responded to the FOIA request by producing approximately 24 minutes of declassified footage on January 18, 2022;

WHEREAS CENTCOM further responded to the FOIA request by making the final determination to withhold the remaining responsive footage pursuant to Exemption 1 on July 29, 2022;

WHEREAS The Times has determined that it will not pursue further release and seeks to dismiss its claims against CENTCOM under the terms set forth below;

IT IS HEREBY STIPULATED, by and between the parties, as follows:

1. CENTCOM's production and final determination resolve any and all claims that The Times now has or may hereinafter acquire against CENTCOM or the United States of America ("United States"), or any department, agency, officer, or employee of CENTCOM and/or the United States, related to or arising out of this FOIA request.

2. The claims brought by The Times are hereby dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), with each party to bear its own fees and costs.

3. The parties understand and agree that this Stipulation and Order contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall have any force or effect.

4. Nothing in this Stipulation and Order affects, or shall be construed to affect, the rights of The Times to pursue further release of information or documents from CENTCOM through other FOIA requests.

Dated: New York, NY
August 5, 2022

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Southern District of New York



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Counsel for Defendant

Counsel for Plaintiffs

SO ORDERED:

THE HONORABLE LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE